

**DEPARTMENT OF FISH AND GAME**  
**HABITAT AND RESTORATION DIVISION**

333 RASPBERRY ROAD  
ANCHORAGE, ALASKA 99518-1599  
PHONE: (907) 344-0541

**FISH HABITAT PERMIT FG 96-II-0582**

**ISSUED:** June 13, 1996  
**EXPIRES:** July 30, 1996

Louis R. Sholl  
Kodiak Electric Association  
P.O. Box 787  
Kodiak, AK 99615-0787

Dear Mr. Sholl:

Re: Electric Utility Line Installation  
Dark Lake  
Waterbody N<sup>o</sup> 259-10-10035-0020  
NE $\frac{1}{4}$ , NW $\frac{1}{4}$  Section 28, T. 27 S., R. 19 W., S.M.  
SID GC-33, COE D-960415 (NWP 12)

Pursuant to AS 16.05.870(b), the Alaska Department of Fish and Game (ADF&G) has reviewed your proposal to install an electric transmission cable inside a 2-inch diameter PVC conduit at the referenced location. We understand that the cable will be hand trenched into the lake bank and shore and will be laid atop the lake bottom. The line will extend across 331.5 feet of the northwest arm of Dark Lake.

Dark Lake has been specified as being important for the spawning, rearing, or migration of anadromous fish pursuant to AS 16.05.870(a). Coho salmon rear in the lake.

In accordance with AS 16.05.870(d), project approval is hereby given subject to the following stipulation(s):

1. Each bank cut, slope, fill, and exposed earth work attributable to cable installation activities shall be stabilized and revegetated with native species immediately after the lake crossing to prevent erosion which may occur during and after project construction.
2. Wheeled or tracked vehicles and equipment shall not be operated in the water or below the ordinary high water level of the lake.

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The permittee is responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved plan. For any activity that significantly deviates from the approved plan, the permittee shall notify the ADF&G, Habitat and Restoration Division and obtain written approval in the form of a permit amendment before beginning the activity. Any action taken by the permittee or an agent of the permittee that increases the project's overall scope or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be deemed a significant deviation from the approved plan. The final determination as to the significance of any deviation and the need for a permit amendment is the responsibility of the ADF&G. Therefore, it is recommended that the ADF&G, Habitat and Restoration Division be consulted immediately when a deviation from the approved plan is being considered.

This letter constitutes a permit issued under the authority of AS 16.05.870. This permit must be retained on site during cable installation operations. Please be advised that this approval does not relieve you of the responsibility for securing other permits: state, federal, or local.

Pursuant to 6 AAC 80.010 (b), the conditions of this permit are consistent with the Standards of the Alaska Coastal Management Program and the Kodiak Island Borough Coastal Management Program.

In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. The department reserves the right to require mitigation measures to correct disruption to fish and game created by the project and which were a direct result of the failure to comply with this permit or any applicable law.

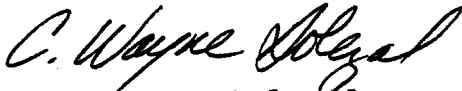
The recipient of this permit (the permittee) shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or the permittee's performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

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This permit decision may be appealed in accordance with the provisions of AS 44.62.330-44.62.630.

Sincerely,

Robert G. Bosworth, Deputy Commissioner



By: C. Wayne Dolezal  
Habitat Biologist  
Habitat and Restoration Division  
(907) 267-2285

cc: J. Hewitt, COE  
W. Donaldson, ADF&G  
J. McCullough, ADF&G  
L. Schwarz, ADF&G  
G. Gallis, FWP